

NEW TREATY FAVORS JAPAN

SENATE SENDS IT TO THE SENATE FOR CONSIDERATION.

President Taft today presented to the Senate a new treaty with Japan, which is believed to be the best yet made.

The new treaty was received by the Senate today in executive session accompanied by a message from the President.

The message, however, arrived only a few minutes before the adjournment of the Senate and was not read.

Some speculation is likely to arise as to whether the omission of the immigration provision amounts to a tacit obligation on the part of this Government not to enact exclusion laws.

The submission of the new treaty will tend also to complicate the State Department's program pending before the Foreign Relations Committee.

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BOSS GEORGE B. COX INDICTED

HEAD OF CINCINNATI MACHINE CHARGED WITH PERJURY.

He is Alleged to Have Sworn Falsely When He Denied Having Received Any Share of the Public Funds Interest.

CINCINNATI, Feb. 21.—George B. Cox, veteran Republican boss of Cincinnati, president of the Cincinnati Trust Company and theatrical promoter, was indicted by the Grand Jury this afternoon on a charge of perjury.

A warrant was served on Cox at his office at the Cincinnati Trust Company, Fourth and Walnut streets, late this afternoon.

Immediately following this he appeared at the court house and gave a bond for \$1,000 with Abe Furst, a well known politician and officeholder, as surety.

It is believed that the Grand Jury's action is based on testimony given before it yesterday by former County Treasurer John Gibson.

Gibson was one of the Republican County Treasurers who returned a total of \$214,000 alleged illegal interest on county funds to the county after the Drake legislative investigation in 1906 had exposed the collection of such interest from banks favored with deposits of city and county funds.

The charge of perjury is based on the fact that Cox, testifying before the Grand Jury in session on May 21, 1906, denied that he had ever received any of the illegal interest money collected by County Treasurers.

The present Grand Jury charges that he did receive \$18,500 and therefore must have violated the perjury statute in testifying as he did.

The indictment was returned before Judge Frank Gorman late today after the Grand Jury had mysteriously adjourned its morning session until 3 o'clock.

The Grand Jury received special instructions from Judge Gorman, who is a Democrat, recently on beginning its deliberations, and County Prosecutor H. T. Hunt, reflected last fall on the Democratic ticket, has been active for some time getting evidence for its consideration.

The three former County Treasurers named, however, Elmer R. French, John H. Gibson and Paul K. Hyndick, the latter a veteran lieutenant of Cox, returned a total of \$214,000 of the illegal interest money or "gratuities" to the county.

At the time of the investigation by the Gayman legislative committee, V. Fagin, former deputy in the County Treasurer's office and later United States Marshal for this district, testified that he had carried envelopes to the office of George B. Cox from the County Treasurer's office.

On one occasion, he testified, Treasurer French remarked after the delivery of an envelope, "George certainly likes the money."

The Gayman legislative investigation was also stopped by injunction proceedings.

Mr. Cox to-night gave out the following statement to the public:

As given out to-day, I have been indicted for perjury. That is only a pretence. I consider my indictment a political indictment, done by a Democratic Judge who drew the Grand Jury from his inside pocket.

Among the persons who were indicted were Democrats and Republicans who call themselves Republicans.

I ask the public to withhold criticism or judgment in any case until the facts are heard by a public trial. I have lived in Cincinnati for fifty-four years. I have been in politics for thirty-four years. I don't consider any crime. Each and every person has a right when he becomes 21 years of age to vote for the party he wishes.

GIRL TESTED FOR NEGRO BLOOD

Johns Hopkins Doctors Try to Aid Court in Case of Doubtful Ancestry.

BALTIMORE, Feb. 21.—Dr. John Whitridge Williams and several other staff physicians of Johns Hopkins Hospital today made an examination of Luella Lettridge, the eleven-year-old girl who is trying to obtain her release from a negro institution in which she has been confined for nearly seven years.

The examination was made for the court in which a writ of habeas corpus has been sued out by Attorney Daniel C. Joseph to determine whether the girl is a white or a negro.

The physical characteristics by which physicians profess to detect the presence of negro blood, but which are held by some authorities to be valueless, were considered at the examination.

Dr. Williams was unable to say whether, if there is negro blood in the girl, it extended back three generations or more.

"I attach no importance to the hair characteristics," said Dr. Williams. "The only accepted test that I discovered is a dark line on one of the girl's finger-nails around the half moon. There is only one such line."

"This discovery raises a doubt in my mind as to the ancestry of the girl. It is merely a suspicion. There is no way for me to arrive at a definite conclusion. The lawyers will have to fight the matter out. I think that in the light of the doubt the lawyers will have to prove that all of the girl's ancestors were white before it can be removed."

"I don't know if the negro blood is present when it is infused. It may have been beyond the third generation and it may not."

Following the examination made by Dr. Williams, Attorney Joseph declared that there is to be no halt in the fight for the child's freedom. "She will be examined by other physicians," said Mr. Joseph, "and I have no doubt that despite the finding of the dark line by Dr. Williams we will prove that the girl is white."

Luella Lettridge and her sister Elizabeth were placed in the Elizabeth's Home for Negro Children about seven years ago. Elizabeth Lettridge left the institution when she was 15 years old. She is now 19 and has been trying ever since she reached the age of 18 to obtain her sister's release from the home, asserting that there is no negro blood in their veins.

ADRICH MUCH IMPROVED

Senator Says He Has Not Seen So Well in Years.

BRUNSWICK, Ga., Feb. 21.—Senator Nelson W. Aldrich of Rhode Island, who is spending the winter on Jekyll Island, has improved so much since his arrival at Jekyll that he now engages in all sorts of outdoor recreations. He spends much time fishing and has made some notable catches.

The Senator has chartered a small steamer and several times a week he takes parties out on fishing excursions.

Senator Aldrich comes over to Brunswick frequently and he has made many friends here. This afternoon he was in the city and while at the post office called to quite a crowd about famous Georgians he had known in his long service in Congress.

He was specially laudatory of the late Henry G. Turner, who long represented this district in Congress.

Senator Aldrich says he feels better than he has in years.

HIGH WEATHER

Sunshine All Over the Land. Robins Back at Navesink Highlands.

The remarkable thing about yesterday's weather was that it was pretty much the same all over the continent. Hardly a town anywhere from the Atlantic to the Pacific and from Florida to the remotest Canadian territory was without sunshine.

As James Scarr, the local prophet, said, "The crest of a high pressure dominated practically the entire country." There was not a "low" on the map except away down on the ocean edge of lower California. It was the most brilliant winter day in years. The robins just south of us apparently thought that spring had come and at least one big flock got up to the Highlands of Navesink. The marine observer there reported hundreds of them circling his tower yesterday afternoon warbling joyously. At sunset they headed for the trees and disappeared.

BURGLAR HUNT AT W.A. CLARK'S

POLICE GO THROUGH HIS HOUSE AND JACOB H. SCHIFF'S.

Find on a Roof Some Clothes Stolen From Jacob Dreicer's Close By—Thought They Saw a Flashlight in the Clark Art Gallery—Reception Guests Help.

Mary Ryan, a servant in the home of A. E. Colfax, the lawyer, of 9 East Seventy-seventh street, was on her way to bed at 11 o'clock last night when she glanced out of an upper floor window and saw two men making their way along the one-story extensions in the rear of the houses on Seventy-seventh street.

The men at the time were near the extension of ex-Senator William A. Clark's house, at No. 1. Mary opened a window and called to the men to ask what they were about. They answered "It's all right, lady; we're Holmes patrolmen and are trying to find a break in the alarm wire."

The servant wasn't satisfied because she knew that the wires had been examined two weeks before by two men who said they were linemen and also because she knew every watchman on the block and was sure that the men on the roof were not any of them.

She went to the street and told her suspicions to Thomas Smith, a watchman. He told her to go back and keep watch while he notified the police. Smith called up the East Sixty-seventh street station and in no time at all, Lieutenant Scanlon and twenty cops had surrounded the block.

Some of the policemen saw what they thought was a flash from an electric pocket lamp in the art gallery, but on searching the gallery they found nothing wrong. On the roof of the Clark garage they found some pieces of clothing and letters addressed to Henry Whitehead, a butler employed by Jacob Dreicer, a jeweller, living at 4 East Seventy-eighth street.

The clothing also belonged to Whitehead at that moment busy at a reception given at the Dreicer home. The police decided that the thieves had got into Mr. Dreicer's house and then had been frightened away before getting further than the room of the butler. Near the roof of the garage there were footprints in the snow.

The policemen went into the homes of George Butler at 964 Fifth avenue, of Jacob H. Schiff at 965 Fifth avenue, and also into the house at 966, at the corner of Seventy-eighth street, in the search, but got no trace of intruders.

Senator Clark is confined to his home with a slight cold. He was told of the excitement and his house was searched with no better success. Dr. L. R. Morris of 155 West Fifty-eighth street, Senator Clark's son-in-law, then joined in the search of the neighborhood, as did pretty much everybody else in the nearby houses, including the Dreicer guests.

There is a house going up at 21 East Seventy-seventh street. The police believe that the men got into this building and from it to the extensions that run from Madison avenue pretty well over to Fifth avenue.

Two weeks ago an attempt was made to enter Jacob H. Schiff's house, but the burglars were scared away by servants. Mr. Clark, who was operated on for appendicitis last Monday, is improving in Roosevelt Hospital.

FLYNN RAIDS IN 12TH STREET

Breaks Down Three Doors and Gets Eight Prisoners.

Commissioner Flynn and a dozen of his men led by Lieut. Collins broke into an alleged gambling house at 324 East Twelfth street early this morning. The place was a den of the foreign variety like those along Sixth avenue, run supposedly by French Marx and recently interfered with by the police.

The police broke down three reinforced doors and surprised 125 men at the tables. There were games, the police say, of the schlager and bacarrat variety. They took eight prisoners on warrants issued by Chief Magistrate McAdoo, made out for John Dealer, John Marker, John Cashier and the other principals of the aleatory fraternity.

The same doorman was on the job whom the police have found at a number of other places of the foreign sort.

ANTI-JEWISH OUTBREAK

Bernstein's Play at the Theatre Francaise All But Starts a Riot.

PARIS, Feb. 21.—Mme. Durieux, formerly the Baroness of Durieux, widow of King Leopold of Belgium, who was married to Emmanuel Durieux, a retired merchant, on August 18 last, and who later sued for divorce, appeared in the divorce court to-day under the French law to have the court try to effect a reconciliation with her husband if possible.

The Magistrate was unable to change Mme. Durieux's mind and the final decree will become effective in March.

BURGLAR SEEN AND CAUGHT

Shots Stopped Him—Were Police Captain's Watch and Overcoat.

A tenant of the apartment house at 603 West 139th street saw from a rear window a man climb up the fire escape at 601 West 140th street yesterday afternoon and breaking the glass of the window on the fifth floor climb in. The tenant told the telephone operator of his own building about it and she passed the word along to the operator of the 140th street building. Janitor John Keizer and his assistant, George W. Keizer, picked up revolvers and went up stairs.

WIRELESS BETWEEN SCHOOLS

M. I. T. Society's Station to Work With Other College Stations.

BOSTON, Feb. 21.—Wireless communication among the Massachusetts Institute of Technology, Worcester Polytechnic Institute, Cornell University, Princeton, Pennsylvania and Columbia will be established by the M. I. T. Wireless Society as soon as the transmitting station now being erected is completed.

The wireless society of the Institute will have one of the most efficient stations in this part of the country.

The society has an understanding with the navy yard that all sending from Technology will be stopped upon request of Government operators.

THE BABY POSTPONED IT

Its Yell When It Dropped the Milk Bottle Put Off Its Mother's Trial.

Rosa Karmeser, who is charged with being a pickpocket, was to have been tried yesterday in the Criminal Branch of the Supreme Court. She entered the court room with a young lady in her arms while Justice Blanchard was busy talking to Assistant District Attorney Stickney.

Then the Judge began to read some papers and did not glance at the prisoner. The jury had been selected and the case was about to proceed to trial when the baby dropped its milk bottle on the floor and set up a yell.

Glancing over his spectacles Justice Blanchard for the first time saw the defendant. After consulting with the Assistant District Attorney and the woman's lawyer the Court decided that the case should not be tried at the present time, and it was taken from the calendar. Rosa is out on bail.

SUICIDE HIS OWN AFFAIR

The Kaiser Won't Have Discouraged Court Dismissed From the Army.

BERLIN, Feb. 21.—The finding of the military tribunal condemning Count Hans Pfell to dismissal from the army for attempting to commit suicide recently has been set aside by the Kaiser. In his memorandum in the case he says that the Count, in attempting to kill himself, is responsible only to God and his own conscience.

His act is not the subject for any tribunal to pass on, and consequently the Kaiser orders the setting aside of the judgment.

SEARCH FOR FILIBUSTERS

State Department Hears of Mystic Ship and Calls On the Navy.

WASHINGTON, Feb. 21.—Several naval vessels now in the West Indies are engaged in a search for a vessel which is supposed to be on a filibustering expedition. The name of the vessel and her precise destination are not definitely known at the State Department.

Reports have been received, however, indicating that the vessel intended to sail from Porto Rico for either Hayti or Santo Domingo.

The State Department got wind of the affair several days ago and immediately asked the Navy Department to instruct the vessels now in the West Indies to keep a lookout.

HIGH PRESSURE EXTENDED

Lower East Side Better Able to Cope With Fires Henceforth.

An extension of the high pressure fire service on the lower East Side was put into operation yesterday at 8 o'clock in the morning by an order issued by the Fire Commissioner. The area thus added to the high pressure field is bounded by Chambers and Houston streets, the Bowery and the East River. It is the most dangerous fire zone in the world because it is filled with tall unimproved tenements in which live many hundred thousands.

High pressure hose carts will be put in the district, and it is planned to supplement all horse apparatus with automobile vehicles. This will make it possible to respond to fire calls quicker and will result, Commissioner Waldo thinks, in fewer accidents. At present many children are run over in the streets because the horses cannot stop soon enough. The auto trucks will have special emergency brakes that will stop them in a very short space.

YALE '78 AT THE WHITE HOUSE

The President to Entertain Former Classmates at Dinner on March 4.

WASHINGTON, Feb. 21.—President Taft has invited the surviving members of the class of Yale '78, his own class, to be his guests at a dinner in the White House on the night of March 4. Invitations were sent to more than a hundred members of the class and acceptances have been received at the White House from practically all of the classmates of the President. The class of '78 originally numbered about 131 men.

PLANS FOR GREAT HIGHWAY

T. Coleman du Pont Offers to Advance \$2,000,000 to the State of Delaware.

DR. M'KIM AGREES NOT TO SUE

NO ALIENATION OF AFFECTION CASE AGAINST EMERSON.

Said Also That A. G. Vanderbilt Was Named as One of the Parties to the Agreement—Consideration a Semi-Annual Income and a Lump Sum.

BALTIMORE, Feb. 21.—It was learned here to-day that an agreement has been signed in New York by which Dr. Smith Holmes McKim for a valuable consideration binds himself not to institute proceedings for the alienation of the affections of his wife.

The other persons affected by the agreement are Dr. McKim's father-in-law, Dr. Isaac E. Emerson; his former wife, Dr. Emerson's daughter, and Alfred G. Vanderbilt. The agreement was the result of a conference held yesterday afternoon in the office of A. Hershfield of the law firm of Hays, Hershfield & Wolf, 118 Broadway, New York.

Papers were signed at this conference which released Mr. Vanderbilt, Mr. Emerson, his daughter and Mrs. Frederick McCormick from any legal action resultant from Mrs. McKim divorcing her husband. Dr. McKim got a sum of money which will be paid in semi-annual instalments as well as a lump sum which was awarded chiefly for counsel fees.

When questioned to-day about the matter Mr. Hershfield said:

"I can say this much," he said, "that there has been consummated an arrangement by which Dr. McKim has agreed to end all existing and possible litigation relative to the alleged alienation of his wife's affections. That is all."

"Have you any objections to stating whether this resulted from a conference held yesterday?"

"I cannot see where that is important," he replied, "but I have no objection in saying that this was consummated yesterday."

The agreement reached was the result of a series of meetings that have been held for some time. Reports have been made from time to time that Dr. McKim intended to bring suit against Mr. Vanderbilt for alienation of his wife's affections.

Mrs. McKim and Mrs. McCormick were great friends and it is hinted that Capt. Emerson may marry Mrs. McCormick when he secures his divorce. Ex-Judge Morgan J. O'Brien, it is understood, appeared in behalf of not only Mr. Vanderbilt but for Dr. Emerson, Mrs. McKim and Mrs. McCormick. It is understood that the paper which was signed was held in his possession.

It is understood that the sum involved will be paid semi-annually and will be so payable until Dr. McKim's death. It is further understood that should Dr. McKim die within five years a sum of money is to be paid to his sister, but that if he should die after five years all payments shall cease.

Dr. McKim when asked relative to the settlement said: "There is nothing I can say. You will have to see my lawyers."

That Dr. Emerson should be involved in any proceedings relative to a possible alienation suit is not regarded as unusual, for those conversant with the affairs of the Emerson family know that Dr. Emerson is extremely fond of Mrs. McKim, in fact that she is his favorite child.

But there was some surprise among those familiar with the case at the bringing in of the name of Mrs. McCormick. Inquiry relative to why Mrs. McCormick was mentioned brought from one of the attorneys who had figured in the case that Mrs. McCormick is a widow who has been living in Irvington, N. Y. Prior to their disagreement the McKims owned a handsome estate near Irvington, and it is understood that Mrs. McCormick frequently visited the McKim home and seemed to be on quite friendly terms with Mrs. McKim.

There has been a hint that Capt. Emerson may marry Mrs. McCormick when he has secured a divorce from his present wife. Such a suit is pending.

Mrs. Margaret Emerson McKim obtained an absolute divorce from Dr. Smith Holmes McKim at Reno last April. She accused Dr. McKim of cruelty and drunkenness.

Mrs. McKim was one of the three daughters of Isaac E. Emerson of Baltimore, who made a fortune with a patent medicine. She married Dr. McKim in 1902. They lived at Irvington from May, 1904, until July, 1908, summering at Newport, and in the latter year came to New York, stopping for a time at the Plaza. They separated in May, 1909.

The decree of divorce said nothing about Mrs. McKim resuming her maiden name, and she said that there had been no money settlement.

It was rumored at one time that she would marry Alfred Vanderbilt after she obtained her divorce.

Taft's Medal Solid Gold.

Slander Against Trainmen's Present to the President Refuted.

Worcester, Mass., Feb. 21.—That railroad medal for which President Taft came all the way to this city last April has been tried and found not wanting.

Since the presentation of the medal by the Trainmen of America it had been charged that the plate was of brass and that the engraving had been done by a prisoner at the Worcester county jail.

An investigation was begun by the Worcester committee of the Trainmen and President Taft allowed the investigators to have the medal.

Martin M. Doyle, chairman of the committee, announced to-day that the medal was of 14 karat gold, three reputed Boston firms of jewellers and goldsmiths having determined the fact, while a Providence jewelry house identified the medal as one that had been engraved by it.

Mr. Doyle visited the county jail to-day and submitted the medal to Francis Hutchinson, the prisoner who was said to have engraved it. Hutchinson declared that never before had he seen the medal or any part of it, although he had made three brass models for medals.

COAST LINE'S "FLORIDA SPECIAL."

24th Season of Florida's Finest Train, 120 P. M. New Penna. Station, 3 o'clock L. N. Train Daily. 1910 A. M. 3:35, 9:30 P. M. 1218 B. W. A. S.

SUPPER SERVICE TO ALL FLORIDA VIA SEABOARD FLORIDA LIMITED.

10:00 A. M. At Palm Beach 10:10 P. M. Save a night on sleeper. Four hours quickest to Tampa. 11:15 B. W. A. S. Phone 3614 Main—A. S.

Exchange for Government of the New York Stock Exchange who sent out over the ticker a statement that the International is a competitor of the American Bank Note Company, and that my assertions of monopoly are false. I commend a reading of the sworn testimony yesterday of Mr. Eckert, who testified that he was under a covenant entered into in 1902 as President of said International Bank Note Company to run it exclusively in the American interest for five years at a salary of \$100,000 and thereafter to do nothing in the Bank Note trade for another five years at a salary of \$50,000. I'm 11 o'clock time the story was cleared home. George H. Kendall.

BONDS & STOCK CERTIFICATES

Registered in the name of Mr. May & Co., Inc. of John Street. Established 1867.—A. S.